

Congress of the United States
Washington, DC 20515

FILED/ACCEPTED
DEC 18 2007

December 14, 2007

DOCKET FILE COPY ORIGINAL

Federal Communications Commission
Office of the Secretary

The Honorable Kevin Martin
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

AC: 02-6

Dear Mr. Chairman:

We are writing to express our support for the Northern Region Consortium's appeal to receive funding from the E-Rate Program. The Northern Region Consortium is comprised of four educational entities in Westmoreland County: Northern Westmoreland Career and Technology Center; Burrell School District; Franklin Regional School District; and Kiski Area School District. The Consortium is in the process of making a formal appeal to the Federal Communications Commission to receive funding under the E-Rate Program by December 31, 2007, when state matching funds they have been awarded will expire.

The Northern Region Consortium submitted an application to the E-Rate Program for Funding Years 2007-2010. The application was for a project that is appropriate and allowable under the E-Rate Program. In fact, a similar project run by the Eastern Region Consortium in Westmoreland County was already funded by the E-Rate Program. Subsequent to receiving the Northern Region Consortium's application, the Universal Service Administrative Company (USAC) requested additional information. The Consortium sent this information within the appropriate timeframe, but the information was sent to the wrong fax number. As a result of this clerical error, the Consortium's application was denied.

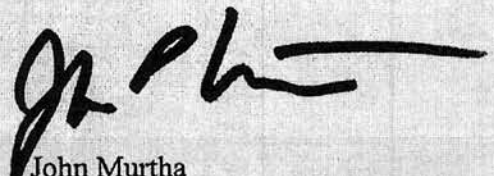
With funding, the Northern Region Consortium could successfully bring high-speed broadband connections to students throughout the region. In addition, this regional network is one of four being established in Westmoreland County that will eventually be linked to provide a countywide system. This network will benefit not only schools, but the county government, institutions of higher education, and public service agencies.

Thank you for your attention to this request. If you have any questions, please do not hesitate to contact Bennett Reed in Congressman Altmire's office at (202) 225-2565 or Debra Terence in Congressman Murtha's office at (202) 225-2065.

Sincerely,



Jason Altmire
Member of Congress



John Murtha
Member of Congress

No. of Copies rec'd 052
List A B C D E

April 4, 2007

Mr. Robert Vecchio
School & Libraries
Program Integrity Assurance
80 South Jefferson Road
Whippany, NJ 07981

VIA FAX

Dear Mr. Vecchio:

This letter is in response to your request for information regarding Funding Year 2007
From 471 Application 555015.

1. FRN 1531743 – Please see the attached vendor documentation providing actual products and services being delivered.
2. Northern Westmoreland Area Vocational Technical School receives students from four sending school districts. In order to calculate the discount associated with the school; the students enrolled in the AVTS and those students eligible for free/reduced lunches are used to calculate the applicable percentage. The following documentation is being provided to substantiate the 60% discount rate for Northern Westmoreland Area Vocational Technical School.
 - a. Calculation for 2006-2007 showing free/reduced lunch qualification for students attending the school
 - b. Letters from four sending schools superintendent's attesting accuracy to numbers used in above calculation.
3. As indicated in Item 21 attachment 1 – this project with a total cost of \$1,405,860.00 will be amortized over a three year period (\$468,620.00 per year). Please find attached a signed letter from the school administrative director verifying the three year amortization.
4. The FCC Registration Number (FCC RN) for Northern Westmoreland AVTS is 0016285702. Please refer to attached registration notice.

Thank you for your assistance with our application. If you should need additional information, please contact me.

Sincerely,

Coleen S. Steim
Business Manager

April 4, 2007

Mr. Robert Vecchio
School & Libraries
Program Integrity Assurance
80 South Jefferson Road
Whippany, NJ 07981

VIA FAX

Dear Mr. Vecchio:

This letter is to serve as a written response to your inquiry of FRN 1531743 (Application 555015). This application is to verify that total project costs of \$1,405,860.00 will be amortized over a three year period for a yearly cost of \$468,620.00.

Sincerely,

Marsha A Welsh
Administrative Director

August 15, 2007

Universal Service Administrative Company
Letter of Appeal
Schools & Libraries Division – Correspondence Unit
100 South Jefferson Road
P.O. box 902
Whippany, NJ 07981
appeals@sl.universalservice.org

Dear Sir or Madam:

This letter is an appeal for Application number 555015 (BEN 16375) for funding year 2007-2008 for Northern Westmoreland AVTS. This application requests funding on behalf of our consortium of three (3) schools districts and one (1) technology center in Westmoreland County to create a Regional Wide Area Network.

Below is requested information regarding application:

Appellant Name:	Northern Westmoreland AVTS
BEN:	16375
SPIN:	143026071
Form 471#:	555015

Reason for Denial: DR1: Applicant has not provided sufficient documentation to determine the eligibility of this item.

On February 6, 2007, we submitted our consortium Form 471 to USAC for processing. A Form 471 Receipt Acknowledgment Letter for this application was received for this application.

A request for information was received from Mr. Harold Kestenbaum of USAC on March 14, 2007 requesting clarification on specific buildings that were listed in Block 4 of the Form 471 application. Our response to Mr. Kestenbaum's inquiry was faxed to him on March 19, 2007.

On April 3, 2007, a second request for information was received from Mr. Robert Vecchio of USAC asking for additional information on several areas of the Form 471 application. The request asked for the following information: clarification of products and services to be rendered; information on the vocational schools discount calculation; verification of the three year project cost amortization; and the FCC Registration Number for the vocational school. The deadline to submit this information to Mr. Vecchio was April 11, 2007. We promptly assembled the requested information and faxed it to Mr. Vecchio on April 5, 2007, just two days after the initial request was made. No further correspondence was ever received from Mr. Vecchio, Mr. Kestenbaum, or any other member of the USAC staff.

On July 30, 2007 we received the Funding Commitment Decision Letter which stated that we had not provided sufficient documentation to determine the eligibility of this request. We contacted our State E-rate Coordinator, Julie Tritt Schell, who inquired with USAC and was able to determine that the application was denied because we did not respond to the PIA inquiry. As you can imagine, this came as a complete shock to us because we replied to Mr. Vecchio within 48 hours of his correspondence. And since no other requests for information were received after April 3, 2007, we assumed that all necessary information had been provided.

In an effort to assemble the pertinent information related to this appeal, it was discovered that our response to the PIA inquiry was inadvertently faxed to area code 913 instead of area code 973. We have attached the original fax confirmation page as proof of the mistaken fax number, as well as the original response contained in the fax. It was our error that we did not notice that the fax number was incorrect, but we are respectfully requesting that this evidence that we tried to provide the information well before the required deadline will permit you to reinstate our application into PIA review. The requested information was not purposely omitted.

If you have any further questions, please feel free to contact me using the contact information listed below.

Sincerely,

Coleen S. Steim
Business Manager
724.335.9389 ext 202.
csteim@wiu.k12.pa.us

September 17, 2007

Mr. Philip Alessi
PIA Initial Reviewer/PIA Appeals
USAC
Schools & Libraries Division

VIA FAX

Dear Mr. Alessi:

This letter is in response to your request dated September 4, 2007 in which additional information is requested for Northern Westmoreland AVTS application No. 555015 (FRN 1531743).

The one (1) time charge of \$468,620 is one-third (1/3) of the non-recruing charge of \$1,405,860. The first \$468,620 is due the first year of the contract, the second payment of \$468,620 is due the second year of the contract and the third (final) \$468,620 is due the third year of the contract.

Please find attached the Northern Westmoreland AVTS WAN Price Detail and the WAN Diagram per your request.

If you should have any additional information, please feel free to contact me.

Sincerely,

Coleen S. Steim
Business Manager
724.335.9389 ext 202
csteim@wiu.k12.pa.us

September 28, 2007

Mr. Philip Alessi
PIA Initial Reviewer/PIA Appeals
USAC
Schools & Libraries Division

VIA FAX AND EMAIL

Dear Mr. Alessi:

This letter is in response to your request dated September 25, 2007 in which additional information is requested for Northern Westmoreland AVTS application No. 555015 (FRN 1531743).

Please find attached a vendor quote with detailed description/statement of work (on letterhead) to support our request of \$468,620 (1-time charge) per your request.

In addition, below are answers to questions concerning our application:

1. Is the leased on-premise equipment an integral component of a Telecommunications or Internet Access service? ☒ Yes ☐ No
2. Will the leased on-premise equipment be provided by the same service provider that provides the associated Telecommunications Service or Internet Access service? ☒ Yes ☐ No
3. Does responsibility for maintaining the equipment rest with the service provider? ☒ Yes ☐ No
4. Will ownership of the equipment transfer to the school or library in the future? ☐ Yes ☒ No
5. Does the relevant contract or lease include an option for the applicant to purchase the equipment? ☐ Yes ☒ No
6. Will the leased equipment be used at the applicant site for any purpose other than receipt of the eligible Telecommunications Services or Internet Access of which it is a part? ☐ Yes ☒ No
7. Will the school's or library's internal communication systems (e.g., LAN, video, phone, or other communication system) continue to work if the component is disconnected? ☒ Yes ☐ No
8. Are there any contractual, technical, or other limitations between you and the service provider that states that the equipment is exclusively for your use and not to be shared with other customers? ☐ Yes ☒ No

If you should have any additional questions, please feel free to contact me.

Sincerely,

Coleen S. Steim
Business Manager